

ADDITIONAL NEW FILING REQUIREMENTS

11 U.S.C. §521

- **Other New Debtor Filing Requirements:**

There are several new filing requirements for debtors under the 2005 Bankruptcy Act (in addition to the Credit Counseling and Means Test, which are covering separately):

1. Certificate of attorney that notice required by §342(b) was given
2. Copies of payment advices for 60 days before filing
3. Statement of amount of monthly net income-itemized

NEW FILING REQUIREMENTS con't

4. Statement of reasonably anticipated increase in income or expenses over 12 months following the filing.
5. A record of any interest that the debtor has in an education individual retirement account.
6. If a Petition Preparer assisted the debtor with the filing, a new form Notice must be filed by the Petition Preparer (Official Form 19B)

Most of these new requirements have been addressed through amendments to the existing schedules.

New and Amended Official Forms to Implement Requirement

- **Voluntary Petition Form 1** has been amended to include, *inter alia*, the certification by debtor's attorney (Exhibit B on page 2), as well as a checkbox for the credit counseling requirement, and a checkbox for the Filing Fee Waiver, if applicable.
- **Schedule B** has been amended to include a new line item 11 regarding interests in education IRA or qualified state tuition plan.

New and Amended Official Forms con't

- **Schedule I** has been amended to include a line item at the bottom of form to “describe any increase [or decrease] in income anticipated to occur within the year following the filing of this document.”
- **Schedule J** has been amended to include a section itemizing statement of monthly net income and a line item to “describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document.”
- **Official Form 19B** - Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer

Amended Interim Federal Rules to Implement Requirement:

- **Interim Federal Rule 1007(b)(1)(E)** - **copies of all payment advices or other evidence of payment**, if any, with all but the last four digits of the debtor's social security number redacted, received by the debtor from an employer within 60 days before the filing of the petition; and
- **Interim Federal Rule 1007(b)(1)(F)** - a record of any interest that the debtor has in an account or program of the type specified in §521(c) of the Code. (educational individual retirement account)

New Electronic Filing Events:

- Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)
- Employee Income Record (Pay stubs, etc.)